

61 3/22/04

RUE 3738

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Commissioner for Patents Mail Stop RCE P.O. Box 1450 Alexandria, VA 22313-1450

Table with 2 columns: Field Name, Value. Fields include Application Number, Filing Date, First Named Inventor, Art Unit, Examiner Name, Attorney Docket Number.

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. 1.114

- a. Previously submitted
i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii. Other
b. Enclosed
i. Amendment/Reply
ii. Affidavit(s)/Declaration(s)
iii. Information Disclosure Statement (IDS)
iv. Other

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of months.
b. Other

3. Fees The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1850
i. RCE fee required under 37 C.F.R. 1.17(e)
ii. Extension of time fee (37 C.F.R. 1.136 and 1.17)
iii. Other
b. Check in the amount of \$ enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Table with 4 columns: Name (Print /Type), Signature, Registration No. (Attorney/Agent), Date. Values include Cameron K. Kerrigan, March 6, 2004.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Table with 4 columns: Name (Print /Type), Signature, Date, Value. Values include Rebecca M. Klits, March 18, 2004.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

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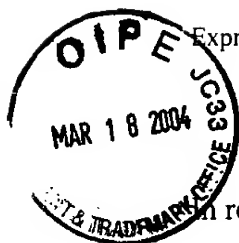
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MAR 26 2004

TECHNOLOGY CENTER R3700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner: Paul B. Prebilic

Steven Z. Wu et al.

Serial No.: 09/695,022

Art Unit: 3738

Filed: October 23, 2000

Title: Implantable Drug Delivery Prosthesis

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)

Dear Examiner Prebilic:

This is a Request for Continued Examination (RCE) under 37 CFR §1.114 of the above-identified application.

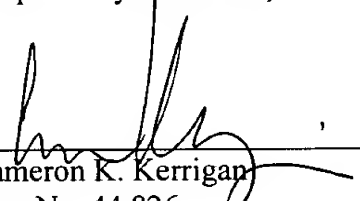
Please consider the Response to Office Action filed herewith.

The accompanying Fee Transmittal authorizes the RCE fee required under 37 CFR §1.17(e).

Please contact the undersigned attorney with any questions concerning this request or the above-identified patent application.

Date: March 13, 2004
Squire, Sanders & Dempsey LLP
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San Francisco, CA 94111
Telephone 415/954-0200
Facsimile 415/393-9887

Respectfully submitted,


Cameron K. Kerrigan
Reg. No. 44,826

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MAR 26 2004